

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

United States of America <i>ex rel.</i>)	
Christopher Paul Grant and Tymekah)	
Danielle Ferguson,)	Case No. 0:18-cv-02341-DCC
)	
Plaintiffs-Relators,)	
)	
v.)	FILED EX PARTE AND
)	<u>UNDER SEAL</u>
Health Screening Services, LLC, Nick)	
Turner, Integrated Care, LLC, Sasha Cahill,)	
LabSolutions, LLC, Minal Patel, CLIO)	
Laboratories, LLC, and Yousef Ismail)	
Emtairah,)	
)	
Defendants.)	
)	

**THE GOVERNMENT’S NOTICE OF ELECTION TO
INTERVENE IN PART AND TO DECLINE TO INTERVENE IN PART**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States hereby notifies the Court of its decision to intervene in part of this action and to decline to intervene in part of this action. The United States intervenes as to defendants Sasha Cahill and Integrated Care, LLC for the purposes of settlement, and declines to intervene as to the remaining defendants, Health Screening Services, LLC, Nick Turner, LabSolutions, LLC, Minal Patel, CLIO Laboratories, LLC, and Yousef Ismail Emtairah.

Although the United States has declined to intervene in a portion of the action, we respectfully refer the Court to 31 U.S.C. § 3730(c)(3), which states that “[w]hen a person proceeds with the action, the court, without limiting the status and rights of the person initiating the action, may nevertheless permit the Government to intervene at a later date upon a showing of good cause.” *Id.* Additionally, the False Claims Act allows the relators to maintain the action in the

name of the United States; providing, however, that the “action may be dismissed only if the court and the Attorney General gives written consent to the dismissal and their reasons for consenting.” 31 U.S.C. § 3730(b)(1). Therefore, the United States requests that, should either the relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action as to the non-intervened part of this action, be served upon the United States; the United States also requests that all orders issued by the Court be sent to the Government’s counsel. The United States reserves its right to order any deposition transcripts and to intervene in the portion of this action in which it is declining to intervene today, for good cause, at a later date.

The United States reserves the right to seek the dismissal of the relators’ action or claim on any appropriate grounds, including under 31 U.S.C. §§ 3730(b)(5) and (e)(4).

Pursuant to 31 U.S.C §3730(b)(3), the United States respectfully requests that the Relators’ Complaint (ECF 1), Amended Complaint (ECF 6), this Notice and corresponding Order, and all future pleadings be unsealed. The United States requests that all other papers on file in in this action remain under seal because in discussing the content and extent of the United States’ investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

November 21, 2022

Respectfully submitted,

ADAIR F. BOROUGHS
UNITED STATES ATTORNEY

By: s/ Nancy Gunter Cote
NANCY COTE (#12530)
Assistant United States Attorney
1441 Main Street, Suite 500
Columbia, South Carolina 29201
Telephone (803) 929-3000
Attorney for the United States of America